

## Message Text

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CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00 USIE-00 INRE-00

PM-03 H-02 INR-07 L-02 NSC-05 PA-01 PRS-01 SP-02

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TO AMEMBASSY SANTIAGO IMMEDIATE

C O N F I D E N T I A L STATE 115686

E.O. 11652:GDS

TAGS: US, CI, OAS, SHUM

SUBJECT: OASGA CONSIDERATION OF HUMAN RIGHTS COMMISSION  
REPORT ON CHILE

1. FOLLOWING IS DRAFT TEXT OF STATEMENT PREPARED FOR USE  
BY ASSISTANT SECRETARY ROGERS DURING OASGA CONSIDERATION OF  
CHILE ITEM.

2. QUOTE: I WISH TO TAKE THIS OPPORTUNITY, MR. CHAIRMAN,  
TO MAKE A FEW COMMENTS ON THE AGENDA ITEM, CONCERNING THE  
INTER-AMERICAN HUMAN RIGHTS COMMISSION REPORT ON CHILE.

QUOTE: IN ARTICLE 3 OF THE CHARTER OF THE OAS, THE MEMBER  
STATES AFFIRM, AND I QUOTE, "THE AMERICAN STATES PROCLAIM  
THE FUNDAMENTAL RIGHTS OF THE INDIVIDUAL WITHOUT DISTINCTION  
AS TO RACE, NATIONALITY, CREED OR SEX." THE U.S. HEARTILY  
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ENDORSES AND REAFFIRMS, FOR ITS PART, THESE WORDS FROM OUR

CHARTER. WE DEPLORE HUMAN RIGHTS VIOLATIONS WHEREVER THEY OCCUR.

QUOTE: IN 1959, THE MEMBER STATES ESTABLISHED THE INTER-AMERICAN HUMAN RIGHTS COMMISSION. THE COUNCIL OF THE OAS PREPARED AND APPROVED ITS STATUTE IN 1960. THE SECOND SPECIAL INTER-AMERICAN CONFERENCE IN 1965 INCREASED ITS FUNCTIONS AND POWERS.

QUOTE: THE COMMISSION, IN CARRYING OUT ITS DUTIES, HAS ISSUED A NUMBER OF SIGNIFICANT REPORTS OVER THE YEARS, INCLUDING THE REPORT ON THE HUMAN RIGHTS SITUATION IN CHILE.

QUOTE: THE CHILEAN GOVERNMENT IS TO BE COMMENDED FOR HAVING PERMITTED THE COMMISSION TO COME TO CHILE. IT HAS TAKEN ISSUE WITH CERTAIN ASPECTS OF THE COMMISSION'S REPORT. THE REPORT AND THE OBSERVATIONS OF THE GOVERNMENT OF CHILE HAVE MERITED THE CAREFUL ATTENTION OF US ALL.

QUOTE: THE PRIMARY ISSUE HERE, NOW, IS NOT WHETHER THERE MAY HAVE BEEN SOME DEFECTS OR INADEQUACIES IN THE IAHRC REPORT. IT IS NOW SOMEWHAT DATED. THE MORE IMPORTANT ISSUE IS THE FUTURE -- THE DEEP CONCERN WHICH WE ALL HAVE FOR THE PROMOTION OF RESPECT FOR HUMAN RIGHTS AND THE ELIMINATION OF HUMAN RIGHTS VIOLATIONS WHEREVER THEY OCCUR, AND OUR ABILITY TO BUILD AND STRENGTHEN AN INTERNATIONAL SYSTEM TO CONSIDER MATTERS SO VITAL TO THE COMMON HUMAN VALUES OF THIS HEMISPHERE.

QUOTE: THE U.S. POSITION ON SUCH QUESTIONS IS CLEAR. ON JUNE 27, 1974, DEPUTY SECRETARY OF STATE INGERSOLL WROTE CHAIRMAN MORGAN OF THE HOUSE COMMITTEE ON FOREIGN AFFAIRS WITH REFERENCE TO OUR OBLIGATION UNDER THE UNITED NATIONS CHARTER TO PROMOTE RESPECT FOR AND OBSERVANCE OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS FOR ALL. MR. INGERSOLL SAID "NO MATTER WHERE IN THE WORLD VIOLATIONS OF HUMAN RIGHTS OCCUR, THEY TROUBLE AND CONCERN US AND WE MAKE OUR BEST EFFORTS TO ASCERTAIN THE FACTS AND PROMOTE RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS."

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QUOTE: WE DO NOT REGARD HUMAN RIGHTS AS AN EXCLUSIVELY DOMESTIC CONCERN. THE STATES WHO ARE MEMBERS OF OUR ORGANIZATION ADOPTED AND HAVE SUBSCRIBED TO AN INTERNATIONAL SERIES OF STANDARDS. THESE STANDARDS ARE SET DOWN IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN. WE ARE FORTUNATE THAT THE OAS HAS GIVEN THE RESPONSIBILITY OF INQUIRY, REPORTING AND RECOMMENDATION, WHEN VIOLATIONS

OF THESE STANDARDS ARE ALLEGED, TO ITS AUTONOMOUS, INDEPENDENT AND EXPERT INTER-AMERICAN HUMAN RIGHTS COMMISSION.

QUOTE: THE COMMISSION, EXCEPT IN CERTAIN RESPECTS IT HAS NOTED, RECEIVED EXTENSIVE COOPERATION FROM THE GOVERNMENT OF CHILE. IT HAS FILED THE REPORT THAT IS NOW BEFORE US. THE GOVERNMENT OF CHILE HAS MADE OBSERVATIONS ABOUT THAT REPORT. I WILL NOT TAKE THE TIME OF THE ASSEMBLY TO REVIEW THE FINDINGS OF THE COMMISSION, AND THE COMMENTS OF THE GOVERNMENT OF CHILE. BUT I THINK IT APPROPRIATE THAT WE NOTE OUR APPRECIATION OF THE EFFORTS OF THOSE WHO HAVE NOW BEEN ABLE TO PLACE THIS MATTER BEFORE US SO FULLY, AND TO COMMEND WHAT I SENSE TO BE A SPIRIT, ON ALL SIDES, OF SEEKING AN OUTCOME FULLY CONSISTENT WITH OUR SHARED COMMITMENTS AND ASPIRATIONS CONCERNING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.

QUOTE: WE HOPE TO CONTINUE TO UNITE OUR EFFORTS WITH THOSE OF THE OTHER MEMBERS OF THIS ORGANIZATION, INCLUDING ESPECIALLY THE GOVERNMENT OF CHILE, IN PLACING THE GREAT WEIGHT OF THIS ASSEMBLY BEHIND CONSTRUCTIVE STEPS TOWARDS THE PROMOTION OF HUMAN RIGHTS, HERE AND ELSEWHERE IN THE HEMISPHERE. WE ARE ESPECIALLY ENCOURAGED IN THIS HOPE BY THE REAFFIRMATION BY THE GOVERNMENT OF CHILE OF ITS CONSTRUCTIVE ATTITUDE TOWARD IMPARTIAL INTERNATIONAL VISITS, OBSERVATION AND STUDY. ITS DECISION TO WELCOME AND COOPERATE WITH A UNITED NATIONS STUDY GROUP ACTING UNDER A U.N. HUMAN RIGHTS COMMISSION RESOLUTION RECENTLY APPROVED BY THE U.N. ECONOMIC AND SOCIAL COUNCIL WAS NOT LIGHTLY TAKEN. IT DESERVES THE ATTENTION AND RESPECT OF ALL MEMBER STATES IN THIS REGARD.

QUOTE: WE BELIEVE THAT THIS ASSEMBLY SHOULD TAKE NOTE OF THE FORTHCOMING VISIT OF THE U.N. WORKING GROUP, APPLAUD  
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THE CHILEAN GOVERNMENT'S DECISION TO COOPERATE WITH IT AND STATE THAT WE WILL KEEP THE ISSUE BEFORE US PENDING RECEIPT OF THE FORTHCOMING U.N. WORKING GROUP REPORTS.

QUOTE: MY DELEGATION FURTHER BELIEVES THAT THE IA HUMAN RIGHTS COMMISSION SHOULD REMAIN SEIZED OF THE ISSUE. A PROCESS OF INTER-ACTION BETWEEN THE GOVERNMENT OF CHILE AND THE HUMAN RIGHTS COMMISSION IS DESIRABLE, INCLUDING OPPORTUNITY FOR THE COMMISSION TO KEEP ITS INFORMATION UP-TO-DATE BY ALL MEANS APPROPRIATE.

QUOTE: IN CONCLUSION, I WOULD STRESS THAT THIS AGENDA ITEM REPRESENTS A TEST OF THE SYSTEM AND OF THE CAPACITY OF THE MEMBERS OF THE ORGANIZATION OF AMERICAN STATES RATIONALLY, OBJECTIVELY AND EFFECTIVELY TO WEIGH HUMAN

RIGHTS ISSUES COLLECTIVELY. IN A SENSE, ALL OF US ARE ON TRIAL HERE -- ALL OF US, IN OUR CAPACITY TO ARTICULATE A CONTINUING STANDARD AND TO DEVELOP FAIR AND EFFECTIVE PROCEDURES FOR THE APPLICATION OF THAT STANDARD TO INDIVIDUAL CASES.

QUOTE: IT WOULD BE IDLE TO PRETEND THAT THIS IS AN EASY OR SIMPLE TASK. TEMPTATIONS EXIST IN SUCH CIRCUMSTANCES, EITHER TO MAINTAIN SILENCE, OR, IN SPEAKING OUT, TO EXCEED SOMEWHAT THE RHETORICAL NEEDS OF THE MATTER BEFORE US.

QUOTE: BUT THIS, IT SEEMS TO ME, IS A HIGH CHALLENGE. NO ISSUE IS MORE FUNDAMENTAL TO THE BUSINESS OF THE HEMISPHERE, THAN THE HUMANE TRADITION WHICH IS COMMON TO US ALL -- THE SUSTENANCE OF HUMAN FREEDOM AND INDIVIDUAL DIGNITY. IT WAS THIS WHICH DROVE US ALL TO INDEPENDENCE, AND IT IS THIS WHICH, ABOVE ALL ELSE, TESTS THE ADEQUACY OF OUR EFFORTS TO GOVERN AND LEAD OUR PEOPLES.

QUOTE: AS WE HAVE SAID, IN THE AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN, "ALL MEN ARE BORN FREE AND EQUAL, IN DIGNITY AND IN RIGHTS, AND BEING ENDOWED BY NATURE WITH REASON AND CONSCIENCE, THEY SHOULD CONDUCT THEMSELVES AS BROTHERS ONE TO ANOTHER." UNQUOTE. KISSINGER

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